



cv-03939-CM Document 88-3 Filed 01/17/2007

Larry Shaw

From: "ARTPIX" <artpix@iris.eonet.ne.jp>
To: "Larry Shaw" <Larry@spc-promotions.com>
Sent: Sunday, January 14, 2007 9:25 PM
Subject: Fw: Monroe 2005 calendar

----- Original Message -----

From: artpix
To: Larry Shaw
Sent: Tuesday, June 29, 2004 9:57 PM
Subject: Fw: Monroe 2005 calendar

----- Original Message -----

From: Kunal Dua
To: artpix
Sent: Tuesday, June 22, 2004 7:46 AM
Subject: RE: Monroe 2005 calendar

Atsuko,

It does exist in our collection but, please understand that you would need to chose another image.

Kunal

-----Original Message-----

From: artpix [mailto:artpix@osk3.3web.ne.jp]
Sent: Monday, June 21, 2004 5:25 PM
To: Kunal Dua
Subject: Re: Monroe 2005 calendar

Kunal

Then, why you introduce on the web-site?
Is there somebody who can use this image?

best

Atsuko

----- Original Message -----

From: Kunal Dua
To: artpix
Sent: Tuesday, June 22, 2004 7:25 AM
Subject: RE: Monroe 2005 calendar

Dear Atsuko,

Sorry I forgot to mention any of our images with the exception of the 'Skirt Blowing Up' one.

Even with the option of the face blowing up of the same image the Estate is still aware of which image it is, so kindly chose another one of our images.

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Thanks!

Kunal

-----Original Message-----

From: artpix [mailto:artpix@osk3.3web.ne.jp]

Sent: Monday, June 21, 2004 5:11 PM

To: Kunal Dua

Subject: Re: Monroe 2005 calendar

Dear Kunal

Thank you very much for your prompt reply.

I saw the web site and found the very similar image (Dress blowing up). -- I attached.

It is again the big question why we cannot use Sam Shaw one. We can design the image if we can here which part is not OK.

For the final compromised solution, is that possible to use the face zoom up (as you also introduce on the web) of dress blowing up by Sam Shaw?

Please let me know the possibility. We would like to make 'Sam Shaw' photos calendars if you accept to arrange the image.

If it is still not OK, we have to consider other image from your collection.

best

Atsuko

----- Original Message -----

From: Kunal Dua

To: artpix

Sent: Tuesday, June 22, 2004 6:00 AM

Subject: RE: Monroe 2005 calendar

Dear Atsuko,

Hope you had a good weekend!

We won't be able to reduce the fee by \$100 but, what we can do for you is offer one (1) of our images fee of charge & waive the fee on that which we normally charge.

You can view these as follows:

The website is www.legendsarchive.com >From the main page go to 'clients' and then click on the appropriate client (Marilyn Monroe) then Approved photos and put in the User Name: larchive & Password: assets.

Let me know!

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Best regards,
Kunal

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Larry Shaw

From: "ARTPIX" <artpix@iris.eonet.ne.jp>
To: "Larry Shaw" <Larry@spc-promotions.com>
Sent: Sunday, January 14, 2007 9:24 PM
Attach: monroe zoom up.jpg; subway.jpg
Subject: Fw: Monroe 2005 calendar

Dear Larry

Thanks for your call.

I am sending several previous e-mails as per your request.

Hope they are the ones you need.
If not, please let me know .

best

Atsuko

artpix

----- Original Message -----

From: artpix
To: Larry Shaw
Sent: Tuesday, June 29, 2004 9:57 PM
Subject: Fw: Monroe 2005 calendar

Larry,

Thank you for your call.
Below is some correspondence
between me and CMG.

I wonder these 2 images (skirt blowing up)
is yours??

I will send other e-mails from
CMG as well by separately.

----- Original Message -----

From: artpix
To: Kunal Dua
Sent: Tuesday, June 22, 2004 7:11 AM
Subject: Re: Monroe 2005 calendar

Dear Kunal

Thank you very much for your prompt reply.

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best

Atsuko

----- Original Message -----

From: Kunal Dua

To: artpix

Sent: Tuesday, June 22, 2004 6:00 AM

Subject: RE: Monroe 2005 calendar

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Let me know!

Best regards,
Kunal

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STARPOOL INC.

2515 Beverly Avenue, Santa Monica, California 90405 / (310) 390-1215

There are many other retailers and distributors who can top my stories about the shady dealings of Richman. Some small companies have been cowed by Richman into paying unnecessary license fees, under constant harassment and intimidation. Of the monies Richman collects he freely admits he takes 50 percent.

For me SB 613 has a very questionable instigator in the presence of Richman. But there are many other grounds to object to SB 613 besides the role of Richman. It's a classic case of the rich getting richer without having to lift a finger. Some of these relations to dead stars are so distant it would take Sherlock Holmes to trace the ancestry. Marilyn Monroe is a good case in point. The supposed executor of her estate is an attorney with as far as I know, no blood or marital ties to Monroe whatsoever. He lives in England and has Richman do his beckoning.

Characters like Monroe and Dean in death have become larger than life, legends, if you will, institutions representing Hollywood, dreams, a spirit of American independence and individualism that can't be claimed by some paper relation. They belong in the public domain to be enjoyed by all.

I won't bother to go into the issue of freedom of expression. I'm sure you must realize what shaky ground SB 613 is on that question.

When Richman says in the issue of Adweek dated May 16 that the use of Marilyn Monroe, and Elvis Presley amounts to a \$10-\$20 million a year business, keep in mind who's going to be getting a big chunk of that. Richman.

I would like to suggest a few things. One, a small investigation into Richman's affairs and an even larger look at who the estate of Marilyn Monroe really is. Should these people be benefiting from the hard work of small businessmen? Is there to be any regulation of people like Richman in SB 613?

I've spoken to numerous retailers, wholesalers and manufacturers who would like to have their case heard in Sacramento before Richman gets his inheritance windfall. According to the Adweek article the Senate vote was not expected until July. Why a vote already by May 23?

Please consider this legislation carefully. There are a lot of businesses that could go under as a result of it.

Thank you for your time.

Sincerely,



Joe Robinson

5-16-83

Joe Robinson
STARPOOL INC.
2525 Beverly Avenue, Santa Monica, California 90405 / (313) 396-1215

Assemblyman Elihu Harris
State Capitol
Sacramento, CA 95814

Dear Assemblyman Harris,

I'd like to strongly object to SB 613, and not only to the measure itself. Apparently it is being whisked through without any concern for those with a different viewpoint. I am one of many manufacturers, retailers and distributors who would like to speak in opposition to SB 613.

The bill, as you know, would prohibit the commercial exploitation of the likeness, name or voice of deceased celebrities without the consent of their heirs. Launched to prevent the use of commercial endorsements by dead celebrities, this bill has been couched with enough vagueness to also put an end to a host of movie memorabilia businesses, such as my own. And that's no accident, as I will tell you shortly. I manufacture a novelty product called a window waver. Although I license living stars for my product (including Fernando Valenzuela through his attorney and the Dodgers; Mr. Spock and Captain Kirk through Paramount Pictures; and Christie Brinkley through Licensing Corporation of America) I have not pursued licensing agreements for deceased celebrities--Marilyn Monroe, James Dean--because the courts have consistently ruled that deceased persons' likeness or name can be used without permissions. The landmark case on this in California is the Bela Lugosi case.

What's happening in the case of SB 613 is an end-run around the courts orchestrated by a fellow named Roger Richman. Richman makes his living by claiming to represent the estates of dead celebrities. The witnesses who came before the Senate committee, relatives of Lou Costello, Elvis Presley and W.C. Fields are all represented by Richman. Let me tell you about my dealings with Richman. After introducing my product last fall I quickly received a letter from Richman telling me to cease and desist from producing the likeness of Marilyn Monroe. I told him the law was on my side, and he immediately began ranting and announced that several L.A. stores were already taking my product off the shelves. I checked with the stores. They weren't. Although Roger had visited a few and harassed them about carrying my product. He talked to my attorney and threatened him with FBI surveillance and assorted mayhem if he didn't immediately license Monroe through him. My attorney, in response to the threats, asked Richman if he was aware such threats could get him disbarred in the state of California. Richman, who passes himself off as an attorney, had to admit he wasn't (or couldn't?) practicing at the moment.

(800) 886-1917

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